

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ERICSSON INC.
NOKIA OF AMERICA CORPORATION,

Petitioners,

v.

ACTIVE WIRELESS TECHNOLOGIES LLC,

Patent Owner.

Patent No. 10,601,566
Filing Date: August 9, 2018
Issue Date: March 24, 2020

Inventors: Zhanping Yin and Toshizo Nogami
Title: MULTIPLE SLOT LONG PHYSICAL UPLINK
CONTROL CHANNEL (PUCCH) DESIGN FOR 5TH
GENERATION (5G) NEW RADIO (NR)

**JOINT REQUEST TO FILE SETTLEMENT MATERIALS
AS BUSINESS CONFIDENTIAL INFORMATION AND TO MAINTAIN
SAID MATERIALS SEPARATE FROM THE PUBLIC FILE PURSUANT
TO 35 U.S.C. § 317(b) AND 37 C.F.R. § 42.74(c)**

Case No. IPR2024-00985

Pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c) and the Board's authorization of March 6, 2025, Petitioners Nokia of America Corporation and Ericsson Inc. ("Petitioners") and Active Wireless Technologies LLC ("Patent Owner") jointly request to treat as business confidential information the true and complete copy of the confidential settlement agreements between the parties (Confidential Exhibits 2007 and 2008), as referenced in the parties' Joint Motion to Terminate (Paper 14).

35 U.S.C. § 317(b) provides that:

At the request of a party to the proceeding, the agreement or understanding shall be treated as business confidential information, shall be kept separate from the file of the involved patents, and shall be made available only to Federal Government agencies on written request, or to any person on a showing of good cause.

Likewise, 37 C.F.R. § 42.74(c) provides that:

A party to a settlement may request that the settlement be treated as business confidential information and be kept separate from the files of an involved patent or application. The request must be filed with the settlement. If a timely request is filed, the settlement shall only be available:

- (1) to a Government agency on written request to the Board; or
- (2) to any other person upon written request to the Board to make the settlement agreement available, along with the fee specified in § 42.15(d) and on a showing of good cause.

The present request, which is being filed contemporaneously with the settlement materials, is timely and in accordance with the foregoing authority. Therefore, the parties request that the settlement materials (Confidential Exhibits

2007 and 2008) (i) be treated as business confidential information, (ii) be maintained separate from the publicly available files of the involved patent, and (iii) shall be made available only to Federal Government agencies on written request, or to persons showing good cause on written request, pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c).

Dated: March 6, 2025

Respectfully submitted,

/s/ Kevin Anderson

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